

ESTTA Tracking number: **ESTTA64824**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91168882
Party	Defendant McLaughlin, Michael T. McLaughlin, Michael T. 447 Troy Schenectady Road Latham, NY 12110
Correspondence Address	NANCY BAUM DELAIN DELAIN LAW OFFICE, PLLC 400 CLIFTON CORPORATE PARKWAY SUITE 470 CLIFTON PARK, NY 12065
Submission	Answer
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Date	02/02/2006
Attachments	AnswerPumpkinLandOpp.pdf (2 pages)

Pumpkin Land, Inc.,)	
Opposer)	Opposition No.: 91168882
)	App. No. 78/407,186
v.)	Mark: PUMPKINLAND KIDS
)	Published: September 27, 2005
Michael T. McLaughlin,)	
Applicant.)	

Pumpkin Land, Inc. (“Opposer”), a Maine corporation located and doing business at 62 Range Hill Road, Poland, Maine 04274 has filed a Notice of Opposition with the Trademark Trial and Appeal Board as noted above, against the registration of Application Serial No. 78/407,186 filed by Michael T. McLaughlin, a U.S. individual located and residing at 447 Troy Schenectady Road, Latham, New York 12110 (“Applicant”). Applicant hereby answers the allegations contained in Opposer’s Notice of Opposition.

4. Applicant denies knowledge as to whether Opposer's goods and services marketed under the PUMPKIN LAND, INC. corporate name are competitive with

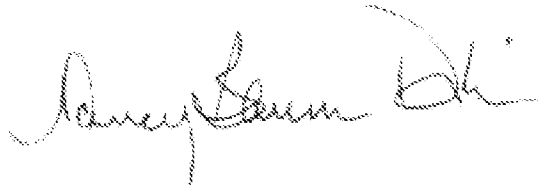
or closely related to Applicant's goods and services marketed under the PUMPKINLAND KIDS mark.

5. Applicant denies that the registration of its mark PUMPKINLAND KIDS is likely to cause confusion or to cause mistake, or to deceive the consumer in violation of the Lanham Act (15 U.S.C. § 1052(d)).

6. Applicant denies that registration of PUMPKINLAND KIDS as its mark would in any way damage or injure Opposer.

WHEREFORE, Opposer prays that Application Serial No. 78/407,186 be granted registration upon the Principal Register; that the registration issue; and that this Opposition be denied and resolved in favor of Applicant.

Respectfully submitted,



Dated: 2 February 2006

BY: _____

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ATTORNEYS FOR APPLICANT
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